

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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In re:	Chapter 11
Archdiocese of Milwaukee,	Bankruptcy Case No. 11-20059-SVK
Debtor.	

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Archbishop Jerome E. ListECKi, as Trustee of the Archdiocese of Milwaukee Catholic Cemetery Perpetual Care Trust,	Adv. Proc. No. 11-02459-SVK District Court Case No. 13-CV-179
Plaintiff-Appellant,	

vs.

Official Committee of Unsecured Creditors,

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Defendant-Appellee.

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**OFFICIAL COMMITTEE OF UNSECURED CREDITORS' MOTION TO RECUSE THE  
HONORABLE RUDOLPH T. RANDA FROM THE CEMETERY TRUST LITIGATION  
AND CEMETERY RELATED PROCEEDINGS**

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The Official Committee of Unsecured Creditors (the "Committee") moves this court for an order pursuant to 28 U.S.C. §§ 455(a) and 455(b)(4) recusing the Honorable Randolph T. Randa from presiding over any aspect of this adversary proceeding as well as from any other proceeding related to the Debtor's cemeteries (including but not limited to any objection to Proof of Claim 179, any rejection or assumptions of burial rights contracts, and any settlement or other disposition of the Cemetery Trust Litigation pursuant to a plan of reorganization or otherwise

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(the “Cemetery Related Proceedings”).<sup>1</sup> This Motion is supported by the Affidavit of James I. Stang and the Memorandum of Points & Authorities submitted concurrently herewith.

Respectfully submitted,

Dated: August 12, 2013

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<sup>1</sup> This adversary proceeding was dismissed by the Judgment in a Civil Case entered by this Court on August 1, 2013. [Dist. Doc. No. 26] (the “Judgment of Dismissal”). In the event that the dismissal is subsequently overturned on appeal (or is vacated), the Committee seeks to recuse Judge Randa from all further proceedings in this matter. On August 12, 2013, the Committee filed a separate Motion to Vacate the Judgment and Decision Order Pursuant to Federal Rule of Civil Procedure 60(b)(6) and 28 U.S.C. § 455 (the “Motion to Vacate”).

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By /s/ James Stang

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